



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/933,500	09/18/97	FILEPP	R 1963-4727

ISRAEL ALON
MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

LM51/0600

EXAMINER

RAMIREZ, E

ART UNIT

PAPER NUMBER

2757

DATE MAILED: 06/08/99

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/933,500	09/18/97	FILEPP	R 1963-4727

ISRAEL BLUM
MORGAN & FINNEGAN
345 PARK AVENUE
NEW YORK NY 10154

LM01/1001

EXAMINER	
RAMIREZ, F	
ART UNIT	PAPER NUMBER
2757	3

DATE MAILED:

10/01/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 03 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☐ Claim(s) _____ is/are pending in the application.
- Of the above, claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 10-23, and 33-72 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claims _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 1
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

Art Unit: 2757

1. This application has been examined.
2. Claims 33-72 have been added. Claims 10-23, and 33-72 are currently pending.
3. Claims 33-72 are rejected under 35 U.S.C. 135(b) as not being made prior to one year from the date on which U.S. Patent No. 5,528,490 was granted.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

5. Claims 10-23 are rejected under 35 U.S.C. 102(E) as being clearly anticipated by Harper et al (US Patent 4,750,137).

Harper discloses the invention as claimed.

6 Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Primary Examiner Ellis B. Ramirez, Esq.,** whose telephone number is (703) 305-9786. The examiner can normally be reached on Monday-Friday from 7:30 AM to 6:00 PM . If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, E. Voeltz, can be reached on (703) 305-9714. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:


Art Unit: 2757

(703) 308-9051, (for formal communications intended for entry)

Or:

(703)308-5356 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).



ELLIS B. RAMIREZ
PRIMARY EXAMINER

FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
1963-4727SERIAL NO.
08/933,500

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANT(S)

Filepp et al.

FILING DATE
09/18/97GROUP ART
TBA

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
Q	4,186,438	01/29/80	Benson et al.	364	200	
Q	4,289,930	09/15/81	Connolly et al.	179	2 TV.	
Q	4,359,631	11/16/82	Lockwood et al.	235	381	
Q	4,575,679	03/11/86	Simon et al.	178	4	
Q	4,691,340	09/01/87	Maeda et al.	379	96	
Q	4,751,669	06/14/88	Sturgis et al.	364	900	
Q	4,805,119	02/14/89	Maeda et al.	364	518	
Q	4,805,134	02/14/89	Calo et al.	364	900	
Q	4,891,503	01/02/90	Jewell	235	380	
Q	4,897,782	01/30/90	Bennett et al.	364	200	
Q	4,916,441	04/10/90	Gombrich	340	712	
Q	4,949,300	08/14/90	Christenson et al.	364	900	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY/AUTHORITY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

Q	BLASGEN, M.W. et al., <i>System R: An Architectural Update</i> , IBM Research Report RJ2581, San Jose, Calif., July 1979.
Q	LINDSAY, B.G., <i>Single and Multi-Site Recovery Facilities</i> . In <i>Distributed Data Bases</i> (Draffan and Poole, Eds.), Cambridge Univ. Press, Cambridge, U.K. (1980), chapter 10, pp. 247-284. Also available as IBM Research Report RJ2517, San Jose, Calif., July 1979.
Q	LINDSAY, B.G. <i>Object Naming and Catalog Management for a Distributed Database Manager</i> . In <i>Proc. Second International Conference on Distributed Computing Systems</i> (Paris, April 8-10, 1981), pp. 31-40. Also available as IBM Research Report RJ2914, San Jose, Calif., August 1980.
Q	GRAY, J., McJONES, P., BLASGEN, M., LINDSAY, B., LORIE, R., PRICE, T. PUTZOLU, F., and TRAICER, I. <i>The Recovery Manager of the System R Database Manager</i> . ACM Comput. Surv. 13.2 (June 1981), 223-242.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
1963-4727SERIAL NO.
08/933,500

INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

APPLICANT(S)

Filepp et al.FILING DATE
09/18/97GROUP ART
TBA

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
<i>Q</i>	5,043,919	08/27/91	Callaway et al.	364	521	
<i>Q</i>	5,151,989	09/29/92	Johnson et al.	395	600	
<i>Q</i>	5,179,660	01/12/93	Devany et al.	395	200	
<i>Q</i>	5,283,861	02/01/94	Dangler et al.	395	149	
<i>Q</i>	5,319,542	06/07/94	King, Jr. et al.	364	401	

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY/AUTHORITY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Papers, Etc.)

<i>Q</i>		WILLIAMS, R., DANIELS, D., HAAS, L., LOPIS, G., LINDSAY, B., NG, P., OBERMARCK, R., SELINGER, P., WALKER, A., WILMS, P., and YOST, R. <i>R*: An Overview of the Architecture</i> . In Improving Usability and Responsiveness (P. Scheurman, Ed.), Academic Press, New York, pp. 1-22. Also available as IBM Research Report RJ3325, San Jose, Calif., Dec. 1981.
<i>Q</i>		DANIELS, D., SELINGER, P., HAAS, L., LINDSAY, B., MOHAN, C., WALKER, A. and WILMS, P. <i>An Introduction to Distributed Query Compilation in R*</i> . In Proc. Second International Symposium on Distributed Databases (Berlin, September 1-3, 1982), pp. 291-309. Also available as IBM Research Report RJ3497, San Jose, Calif., June 1982.
<i>Q</i>		MOHAN, C. and LINDSAY, B. <i>Efficient Commit Protocols for the Tree of Processes Model of Distributed Transactions</i> . In Proc. Second SIGACT-SIGOPS Symposium on Principles of Distributed Computing (Montreal, Canada, August 17-19, 1983), ACM, New York, pp. 76-88.
<i>Q</i>		SELINGER, P., DANIELS, D., HAAS, L. et al. <i>Site Autonomy Issues in R*: A Distributed Database Management System</i> . Information Sciences, Vol. 29, pp. 249-257 (1983).
<i>Q</i>		GECSEI, J., <i>The Architecture of Videotex Systems</i> , Chs. 1-4, 6, 9-12, 14, Prentice-Hall, Inc., March 25, 1983.
<i>Q</i>		LINDSAY, B., HAAS, L., MOHAN, C., WILMS, P. and YOST, R. <i>Computation and Communication in R*: A Distributed Database Manager</i> . In ACM Transactions on Computer Systems, Vol. 2, No. 1, February 1984, pp. 24-38.
<i>Q</i>		LINDSAY, B. <i>A Retrospective of R*: A Distributed Database Management System</i> . In Proceedings of the IEEE, Vol. 75, No. 5, May 1987, pp. 668-673.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited			Application No. 08/933,500		Applicant(s) Filepp et al.	
			Examiner Ellis B. Ramirez		Group Art Unit 2757	
					Page 1 of 1	

U.S. PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	NAME		CLASS	SUBCLASS
A	4,750,137	6/7/88	Harper et al.		395	200.68
B						
C						
D						
E						
F						
G						
H						
I						
J						
K						
L						
M						

FOREIGN PATENT DOCUMENTS						
	DOCUMENT NO.	DATE	COUNTRY	NAME	CLASS	SUBCLASS
N						
O						
P						
Q						
R						
S						
T						

NON-PATENT DOCUMENTS		
	DOCUMENT (Including Author, Title, Source, and Pertinent Pages)	DATE
U		
V		
W		
X		

933500

NOTICE OF DRAFTERPERSON'S PATENT DRAWING REVIEW

The drawing filed (insert date) 9/18/97 are:

A. _____ not objected to by the Draftperson under 37 CFR 1.84 or 1.152.

B. 0 objected to by the Draftperson under 37 CFR 1.84 or 1.152 as indicated below. The Examiner will require submission of new, corrected drawings where necessary. Corrected drawings must be submitted according to the instructions on the back of this notice.

<p>1. DRAWINGS. 37 CFR 1.84(a): Acceptable categories of drawings: Black ink. Color. _____ Color drawing are not acceptable until petition is granted. Fig.(s) _____ _____ Pencil and non black ink is not permitted. Fig(s) _____</p> <p>2. PHOTOGRAPHS. 37 CFR 1.84(b) _____ Photographs are not acceptable until petition is granted, _____ 3 full-tone sets are required. Fig(s) _____ _____ Photographs not properly mounted (must bristol board or photographic double-weight paper). Fig(s) _____ _____ Poor quality (half-tone). Fig(s) _____</p> <p>3. TYPE OF PAPER. 37 CFR 1.84(e) _____ Paper not flexible, strong, white and durable. Fig.(s) _____ _____ Erasures, alterations, overwritings, interlineations, folds, copy machine marks not acceptable. (too thin) _____ Mylar, vellum paper is not acceptable (too thin). Fig(s) _____</p> <p>4. SIZE OF PAPER. 37 CFR 1.84(F): Acceptable sizes: _____ 21.0 cm by 29.7 cm (DIN size A4) _____ 21.6 cm by 27.9 cm (8 1/2 x 11 inches) _____ All drawings sheets not the same size. Sheet(s) _____</p> <p>5. MARGINS. 37 CFR 1.84(g): Acceptable margins: Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: A4 Size Top 2.5 cm Left 2.5 cm Right 1.5 cm Bottom 1.0 cm SIZE: 8 1/2 x 11 <u>0</u> Margins not acceptable. Fig(s) <u>1, 2, 4C, 4D, 5B</u> _____ Top (T) _____ Left (L) <u>0</u> Right (R) <u>0</u> Bottom (B) <u>618-10</u></p> <p>6. VIEWS. CFR 1.84(h) REMINDER: Specification may require revision to correspond to drawing changes. _____ Views connected by projection lines or lead lines. Fig.(s) _____ Partial views. 37 CFR 1.84(h)(2) _____ Brackets needed to show figure as one entity. Fig.(s) _____ _____ Views not labeled separately or properly. Fig.(s) _____ _____ Enlarged view not labeled separately or properly. Fig.(s) _____</p>	<p>7. SECTIONAL VIEWS. 37 CFR 1.84(h)(3) _____ Hatching not indicated for sectional portions of an object. Fig.(s) _____ _____ Sectional designation should be noted with Arabic or Roman numbers. Fig.(s) _____</p> <p>8. ARRANGEMENT OF VIEWS. 37 CFR 1.84(i) _____ Words do not appear on a horizontal, left-to-right fashion when page is either upright or turned, so that the top becomes the right side, except for graphs. Fig.(s) _____ _____ Views not on the same plane on drawing sheet. Fig.(s) _____</p> <p>9. SCALE. 37 CFR 1.84(k) _____ Scale not large enough to show mechanism with crowding when drawing is reduced in size to two-thirds in reproduction. Fig.(s) _____</p> <p>10. CHARACTER OF LINES, NUMBERS, & LETTERS. 37 CFR 1.84(l) _____ Lines, numbers & letters not uniformly thick and well defined, clean, durable and black (poor line quality). Fig.(s) _____</p> <p>11. SHADING. 37 CFR 1.84(m) _____ Solid black areas pale. Fig.(s) _____ _____ Solid black shading not permitted. Fig.(s) _____ _____ Shade lines, pale, rough and blurred. Fig.(s) _____</p> <p>12. NUMBERS, LETTERS, & REFERENCE CHARACTERS. 37 CFR 1.48(p) _____ Numbers and reference characters not plain and legible. Fig.(s) _____ _____ Figure legends are poor. Fig.(s) _____ _____ Numbers and reference characters not oriented in the same direction as the view. 37 CFR 1.84(p)(3) Fig.(s) _____ _____ English alphabet not used. 37 CFR 1.84(p)(3) Fig.(s) _____ _____ Numbers, letters and reference characters must be at least .32 cm (1/8 inch) in height. 37 CFR 1.84(p)(3) Fig.(s) _____</p> <p>13. LEAD LINES. 37 CFR 1.84(q) _____ Lead lines cross each other. Fig.(s) _____ _____ Lead lines missing. Fig.(s) _____</p> <p>14. NUMBERING OF SHEETS OF DRAWINGS. 37 CFR 1.48(t) _____ Sheets not numbered consecutively, and in Arabic numerals beginning with number 1. Fig.(s) _____</p> <p>15. NUMBERING OF VIEWS. 37 CFR 1.84(u) _____ Views not numbered consecutively, and in Arabic numerals, beginning with number 1. Fig.(s) _____</p> <p>16. CORRECTIONS. 37 CFR 1.84(w) _____ Corrections not made from PTO-948 dated _____</p> <p>17. DESIGN DRAWINGS. 37 CFR 1.152 _____ Surface shading shown not appropriate. Fig.(s) _____ _____ Solid black shading not used for color contrast. Fig.(s) _____</p>
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COMMENTS

REVIEWER

DATE

TELEPHONE NO.

ATTACHMENT TO PAPER NO.

PTO COPY